

## **REMARKS**

### **Priority**

The Examiner indicates that the application may be entitled to the benefit of the filing date of a prior application filed in a foreign country, and that “accordingly, the examiner of record respectfully requests the submittal of the translation of the foreign document.”

Applicants satisfied the requirements of 35 USC § 119 and request a clarification why a translation is necessary. 35 USC § 119(b)(3) states that the “Director may require a certified copy of the original foreign application, specification, and drawings upon which it is based, a translation if not in the English language, and such other information as the Director considers necessary.” (Emphasis added.)

In any event, applicants point out that the US provisional application US 60/446,563 relied on for domestic priority was initially filed in German, which German text was the same as the DE priority text, and in which case a verified translation was later filed. Thus, an English translation of a text identical to the DE priority document is available in essence should the examiner wish to review it for any reason.

### **Specification**

Applicants thank the Examiner for pointing to the suggested guidelines illustrating the preferred layout of the specification. However, since these guidelines are merely suggested and not required, applicants decline to amend the specification at this time.

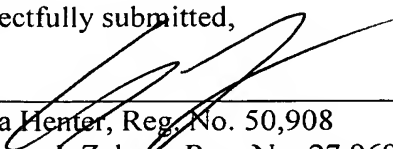
### **The Rejections Under 35 USC § 102**

The rejections are moot in view of the amendments of the independent claims.

Support for the amendments can be found, for example, on page 18, last paragraph to page 19, 4<sup>th</sup> full paragraph (equation [6b]), page 21, 2<sup>nd</sup> full paragraph, page 22, 3<sup>rd</sup> full paragraph (variation 2). Support can also found on page 9, 2<sup>nd</sup> full paragraph, page 16, 2<sup>nd</sup> full paragraph, page 17, last paragraph, and in example 1, page 29, 1<sup>st</sup> paragraph.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



---

Csaba Henter, Reg. No. 50,908  
Anthony J. Zelano, Reg. No. 27,969  
Attorneys for Applicant(s)

MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

Attorney Docket No.: EFFERT-1

Date: February 2, 2006